

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GS HOLISTIC, LLC,

Plaintiff,

v.

EDMONDS SMOKE SHOP, LLC, et  
al.,

Defendants.

CASE NO. C23-0316JLR

ORDER

Before the court is Plaintiff GS Holistic, LLC's ("GS Holistic") motion for leave to amend its complaint. (Mot. (Dkt. # 15).) Although the motion is noted for September 15, 2023, neither Defendant Edmonds Smoke Shop, LLC nor Defendant Iram Pasha<sup>1</sup> have appeared in this action. (*See* Dkt.) Accordingly, the court exercises its discretion to

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<sup>1</sup> On August 16, 2023, the court denied GS Holistic's motion for a second extension of time to serve Mr. Pasha and dismissed GS Holistic's claims against Mr. Pasha for failure to effect timely service pursuant to Federal Rule of Civil Procedure 4(m). (8/16/23 Order (Dkt. # 14).)

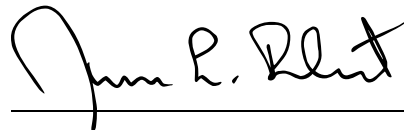
1 decide this motion before the noting date. *See* Fed. R. Civ. P. 1 (stating that the Federal  
2 Rules of Civil Procedure should be construed “to secure the just, speedy, and inexpensive  
3 resolution of every action and proceeding”). The court has considered GS Holistic’s  
4 motion, the relevant portions of the record, and the governing law. Being fully advised,  
5 the court DENIES GS Holistic’s motion for leave to amend its complaint.

6 GS Holistic originally filed its complaint in this action on March 6, 2023, naming  
7 as Defendants Edmonds Smoke Shop, LLC, doing business as Edmonds Smoke N Vape,  
8 and Mr. Pasha. (Compl. (Dkt. # 1).) GS Holistic now represents that it “performed an  
9 investigation and discovered that the correct Defendants are ONWARD MEDIA LLC  
10 d/b/a REEL VAPE EDMONDS ONWARD, RAHN BRUNS, BRIAN SNOW, and  
11 JONATHAN STEPHANI”—an entirely separate set of Defendants from those originally  
12 named. (*Compare* Mot. ¶ 1; *with* Compl. ¶¶ 5-6.) In its proposed amended complaint,  
13 GS Holistic seeks to name “ONWARD MEDIA LLC d/b/a EDMONDS SMOKE N  
14 VAPE,” rather than Onward Media LLC doing business as Reel Vape Edmonds Onward,  
15 in addition to Mr. Bruns, Mr. Snow, and Mr. Stephani. (*Compare* Mot. ¶ 1; *with* Prop.  
16 Am. Compl. (Dkt. # 15-1) at 1; and *id.* ¶¶ 5-8.)

17 Federal Rule of Civil Procedure 15(a)(2) states that “[t]he court should freely give  
18 leave [to amend the complaint] when justice so requires.” Fed. R. Civ. P. 15(a)(2). Here,  
19 however, GS Holistic names a different Defendant smoke shop in its motion to amend  
20 than it names in its proposed complaint. (*Compare* Mot. ¶ 1 (naming “Onward Media  
21 LLC d/b/a Reel Vape Edmonds Onward”); *with* Prop. Am. Compl. ¶ 5 (naming “Onward  
22 Media LLC d/b/a Edmonds Smoke N Vape”).) The court cannot determine, based on this

1 record, which entities GS Holistic seeks to name in its amended complaint. Accordingly,  
2 the court DENIES GS Holistic's motion to amend (Dkt. # 15) without prejudice to GS  
3 Holistic renewing its motion with a declaration attesting to the investigation that led to  
4 GS Holistic's decision to seek leave to amend. GS Holistic shall file its renewed motion  
5 for leave to amend its complaint, if any, by no later than **September 7, 2023**.

6 Dated this 31st day of August, 2023.

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9 JAMES L. ROBART  
10 United States District Judge  
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